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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4303

03/09/2020 Authored by Long, Schultz, Gomez and Lee
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to elections; providing for automatic voter registration of certain applicants;
1.3 amending Minnesota Statutes 2018, sections 13.607, by adding a subdivision;
1.4 201.161.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 13.607, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 9. Automatic voter registration data. Data on an application serving also as a
1.9 voter registration application that is transferred to the secretary of state and provided by a
1.10 person whom the secretary of state determines is not eligible to vote is governed by section
1.11 201.161.

1.12 Sec. 2. Minnesota Statutes 2018, section 201.161, is amended to read:

1.13 201.161 DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS
1.14 AUTOMATIC VOTER REGISTRATION.

1.15 Subdivision 1. Department of Public Safety. (a) An individual who submits an
1.16 application for a new or renewed Minnesota driver's license, instruction permit, or
1.17 identification card, and who is eligible to vote under section 201.014, must be registered to
1.18 vote as provided in this section, unless the applicant declines to be registered.

1.19 (b) The Department commissioner of public safety shall change its, in consultation with
1.20 the secretary of state, must ensure the applications for an original, duplicate, or change of
1.21 address driver's license, instruction permit, or identification card so that the forms may also
1.22 serve as voter registration applications. The forms must contain spaces for all information

2.1 collected by voter registration applications prescribed by the secretary of state. ~~Applicants~~
 2.2 ~~for driver's licenses or identification cards must be asked if they want to register to vote at~~
 2.3 ~~the same time and that~~ and a box for the applicant to decline to be registered to vote. Unless
 2.4 an applicant has declined to be registered to vote or has provided an address other than the
 2.5 applicant's address of residence under section 171.12, subdivision 7, paragraph (d), the
 2.6 commissioner must transmit applicant information ~~must be transmitted at least weekly~~ daily
 2.7 by electronic means to the secretary of state. Pursuant to the Help America Vote Act of
 2.8 2002, Public Law 107-252, the computerized driver's license record containing the voter's
 2.9 name, address, date of birth, citizenship, driver's license number or state identification
 2.10 number, county, ~~town~~, and city or town must be made available for access by the secretary
 2.11 of state and interaction with the statewide voter registration system.

2.12 (c) An applicant described in this subdivision must not be registered to vote until the
 2.13 commissioner of public safety has certified that the department's systems have been tested
 2.14 and can accurately provide the necessary data, and the secretary of state has certified that
 2.15 the system for automatic registration of those applicants has been tested and is capable of
 2.16 properly determining whether an applicant is eligible to vote.

2.17 Subd. 2. Department of Human Services. (a) An individual who submits an initial or
 2.18 renewal application for medical assistance under chapter 256B or MinnesotaCare under
 2.19 chapter 256C must be registered to vote as provided in this section, unless the applicant
 2.20 declines to be registered.

2.21 (b) An individual who submits an application or recertification for food support; economic
 2.22 assistance under chapter 256I, 256J, or 256P; or child care assistance under chapter 119B
 2.23 must be registered to vote as provided in this section, unless the applicant declines to be
 2.24 registered.

2.25 (c) The commissioner of human services, in consultation with the secretary of state,
 2.26 must ensure the applications described in paragraphs (a) and (b) may also serve as voter
 2.27 registration applications. The applications must contain spaces for all information collected
 2.28 by voter registration applications prescribed by the secretary of state and a box for the
 2.29 applicant to decline to be registered to vote. Unless an applicant has declined to be registered
 2.30 to vote, the commissioner must transmit applicant information daily by electronic means
 2.31 to the secretary of state.

2.32 (d) An applicant described in this subdivision must not be registered to vote until the
 2.33 commissioner of human services has certified that the department's systems have been tested
 2.34 and can accurately provide the necessary data, and the secretary of state has certified that

3.1 the system for automatic registration of those applicants has been tested and is capable of
3.2 properly determining whether an applicant is eligible to vote.

3.3 Subd. 3. **Department of Natural Resources.** (a) A resident of Minnesota who purchases
3.4 a license under the game and fish laws online from the Department of Natural Resources
3.5 must be registered to vote as provided in this section, unless the applicant declines to be
3.6 registered.

3.7 (b) The commissioner of natural resources, in consultation with the secretary of state,
3.8 must ensure the online application for a Minnesota resident to purchase a license under the
3.9 game and fish laws may also serve as voter registration applications. The forms must contain
3.10 spaces for all information collected by voter registration applications prescribed by the
3.11 secretary of state and a box for the applicant to decline to be registered to vote. Unless an
3.12 applicant has declined to be registered to vote, the commissioner must transmit applicant
3.13 information daily by electronic means to the secretary of state.

3.14 (c) An applicant described in this subdivision must not be registered to vote until the
3.15 commissioner of natural resources has certified that the department's systems have been
3.16 tested and can accurately provide the necessary data, and the secretary of state has certified
3.17 that the system for automatic registration of those applicants has been tested and is capable
3.18 of properly determining whether an applicant is eligible to vote.

3.19 Subd. 4. **Other state agencies.** (a) The commissioner of any state agency, in consultation
3.20 with the secretary of state, may amend any form or application within its jurisdiction so that
3.21 the form or application may also serve as a voter registration application. The form or
3.22 application must contain spaces for all information collected by voter registration applications
3.23 prescribed by the secretary of state and a box for the applicant to decline to be registered
3.24 to vote. Unless an applicant has declined to be registered to vote, the commissioner must
3.25 transmit applicant information daily by electronic means to the secretary of state.

3.26 (b) An applicant described in this subdivision must not be registered to vote until the
3.27 commissioner has certified that the department's systems have been tested and can accurately
3.28 provide the necessary data, and the secretary of state has certified that the system for
3.29 automatic registration of those applicants has been tested and is capable of properly
3.30 determining whether an applicant is eligible to vote.

3.31 Subd. 5. **Registration.** (a) The secretary of state must process voter registration
3.32 applications received pursuant to subdivisions 1 to 4 as provided in this subdivision. The
3.33 secretary of state must determine whether an applicant is currently registered in the statewide
3.34 voter registration system. For each currently registered voter whose registration is not

4.1 changed, the secretary of state must update the voter's registration date in the statewide
4.2 voter registration system. For each currently registered voter whose registration is changed,
4.3 the secretary of state must transmit the registration daily by electronic means to the county
4.4 auditor of the county where the voter resides.

4.5 (b) If an applicant is not currently registered in the statewide voter registration system,
4.6 the secretary of state must determine whether the applicant is 18 years of age or older and
4.7 a citizen of the United States and compare the voter registration information received under
4.8 section 201.145 to determine whether the applicant is eligible to vote. If an applicant is less
4.9 than 18 years of age, the secretary of state must wait until the applicant has turned 18 years
4.10 of age to determine whether the applicant is eligible to vote. For each applicant the secretary
4.11 of state determines is an eligible voter, the secretary of state must transmit the registration
4.12 daily by electronic means to the county auditor of the county where the voter resides.

4.13 (c) Any data on applicants who the secretary determines are not eligible to vote are
4.14 private data on individuals, as defined in section 13.02, subdivision 12.

4.15 (d) Upon receipt of the registration, the county auditor must mail to the voter the notice
4.16 of registration required by section 201.121, subdivision 2.

4.17 Subd. 6. **Registering 20 days before election.** An application for registration that is
4.18 dated during the 20 days before an election in any jurisdiction within which the voter resides
4.19 is not effective until the day after the election.

4.20 **Sec. 3. IMPLEMENTATION COSTS.**

4.21 The secretary of state must absorb any costs associated with implementation of section
4.22 2 using existing appropriations provided to the secretary by law.